

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**ILLUMINA, INC.,
*Plaintiff-Appellant***

v.

**ARIOS A DIAGNOSTICS, INC.,
*Defendant-Appellee***

2014-1815

Appeal from the United States District Court for the Northern District of California in No. 14-CV-01921, Judge Susan Illston.

Before WALLACH, CLEVINGER, and TARANTO, *Circuit Judges.*

O R D E R

In order to resolve uncertainty affecting our jurisdiction, we remand the case to the district court to afford Appellant Illumina, Inc. the opportunity to move to compel arbitration. The district court may take such action as is appropriate.

Accordingly,

IT IS ORDERED THAT:

The case is vacated and remanded to the district court for further proceedings consistent with this order.

FOR THE COURT

June 23, 2015
Date

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court